Memorandum

To: All VECs

From: Frederick O. Maia, W5YI

Subject: Report of the RULES COMMITTEE

Date: July 18, 1996

The FCC issued a *Notice of Proposed Rulemaking* on April 25, 1995 that contained five proposals, two of which impacted the VEC System:

Amateur service lifetime license:

Proposal: The ARRL requested on January 6, 1995 that all former amateur service licensees "with rekindled interest and lapsed operator licenses be permitted to regain their operating privileges without passing qualifying examinations." In other words, (a.) all previous amateur service licensees could be relicensed without examination and (b.) The ARRL wanted all future operator (but not station) licenses issued for life. The FCC responded by proposing that VEs give examination credit for any examination that an applicant has previously passed.

NCVEC Response: The NCVEC opposed this proposal stating that "Amateurs who have been away from the hobby for long periods of time will find that the amateur service and its regulations have changed drastically. They should undergo some sort of training or refresher course. The examination syllabus provides the needed curriculum. ...There should be a way to determine if a previous licensee who has been away from the hobby for what could be decades, still possesses the minimum required knowledge. That mechanism is by passing the required examination elements. ...Rules already provide for renewal of short term (2 year grace period) expired licenses."

ARRL Response: The League said the FCC's proposal "...does not create a lifetime license ...it merely reactivates an expired license. ...the league requests that the Commission not adopt the proposed section 97.505(a)(10) contained in the Notice. ...the League supports the concept of a lifetime amateur radio operator license, but does not support the proposed alternative contained in the Notice."

Designation of VE Session Manager

Proposal: The NCVEC petitioned the Commission on July 15, 1993, "...require VECs designate one VE at each examination session to have overall responsibility for the conduct

and supervision of the examination session and the certify the application form for successful candidates."

NCVEC Response: We supported the proposal stating "Due to the number of VEs participating in large examination sessions ...the three VEs who certify the FCC Form 610 are frequently not the same ones who administered all of the examinations to the examinee." Threes VEs certify the application and are held responsible in the event of an irregularity. "Having three examiners certify examinations often divides the responsibility to the point where no one can be held responsible. ...Most VECs have a VE who is considered to be in charge and accountable for the proper conduct of the test session. ...The lead VE organizes the test session, supervises the VEs, has custody of the examinations, handles expense reimbursement and is responsible for the integrity of the test session. It thus follows that the VE who manages the examination session should be more accountable for its conduct and reliability than the other VEs who essentially assist.

ARRL Response: The League "strongly opposes" the recognition of a VEC Session Manager. "There is no indication that the VE teams are burdened by the three VE concept, and there is no reason at all why the three VEs should not be held jointly and severally responsible for the proper conduct of each examination administered by that team. It is impossible to define the problem that the proposed regulation is intended to solve, making the proposal pure surplusage. ...The issue of a VE Session Manager should be a matter subject to the discretion of the VE teams, rather than a regulatory requirement. ...The three VE requirement ...contributes significantly to the integrity of the test sessions, since three examiners, each of whom is individually responsible for the proper conduct of the session, are each separately obligated to insure that no irregularities are present. ...the system is not broken, doesn't need fixing, and the Commisison's proposal is extreme over regulation."

Action taken by the FCC on WT-95-57:

I checked with the FCC's Wireless Telecommunication Bureau and found that although this NPRM has been outstanding for 14 months, no final action has been taken. My first thought is that an *Order* was awaiting Commission action, would be acted upon prior the VEC meeting ...and that we would be informed of its outcome at this VEC Conference. But such is NOT the case. The paperwork has yet to leave the Private Radio Division. As a result, it will be some time before this proceeding is acted upon.

Respectfully submitted:

Frederick O. Maia, W5YI